

CT

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF WESTCHESTER

LUKE CLARK,
ON BEHALF OF HIMSELF AND ALL OTHERS
SIMILIARLY SITUATED,

Plaintiff,

-against-

~~CAVALRY PORTFOLIO SERVICES, LLC,~~
CAVALRY SPV I, LLC, AND
SCHACHTER PORTNOY, L.L.C.,

Defendants.

INDEX NO. 61909/2016
FILING DATE: 8/24/16

SUMMONS WITH NOTICE

Plaintiff designates
Westchester County
as the place of trial

The basis of the venue is
Defendants' location and
Plaintiff's designation

To the above named Defendant(s):

You are hereby summoned to answer the complaint in this action and to serve a copy of your answer, or if the complaint is not served with the summons, to serve a notice of appearance, on the plaintiff's attorney within 20 days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if the summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the sum of \$505,000.00 with interest thereon from the 25th day of August 2015, together with the costs of this action and attorney's fees.

TAKE NOTICE that the object of this action and the relief sought is to recover damages for the violation of NY GBL 349 and 15 USC 1692, et. seq. and that in case of your failure to answer, judgment will be taken against you for the sum of \$505,000.00 with interest thereon from the 25th day of August 2015, together with the costs of this action and attorney's fees.

Dated: August 24, 2016

/s/

Mitchell L. Pashkin, Attorney For Plaintiff

775 Park Avenue, Ste., 255, Huntington, NY 11743, (631) 335-1107

Index No. 61909/2016

LUKE CLARK,
ON BEHALF OF HIMSELF AND ALL OTHERS
SIMILIARLY SITUATED,

Plaintiff(s) ,

-VS-

CAVALRY PORTFOLIO SERVICES, LLC,
CAVALRY SPV I, LLC, AND
SCHACHTER PORTNOY, L.L.C.,

Defendant(s) .

SUMMONS WITH NOTICE

Mitchell L. Pashkin certifies that, to the best of his knowledge, information and belief, formed after an inquiry reasonable under the circumstances, the presentation of the annexed paper(s) or the contentions therein are not frivolous as defined in 22 NYCRR 130-1.1.(c).

/s/

Mitchell L. Pashkin
Attorney For Plaintiff(s)
775 Park Avenue, Ste., 255
Huntington, NY 11743
(631) 335-1107

**SUPREME COURT OF THE STATE OF NEW
COUNTY OF WESTCHESTER**

-----x
LUKE CLARK

Plaintiff/Petition

Index

61909 / 16

CAVALRY PORTFOLIO SERVICES, LLC et al

-----x
Defendant/Responde

**NOTICE OF COMMENCEMENT OF ACTION
SUBJECT TO MANDATORY ELECTRONIC**

PLEASE TAKE NOTICE that the matter captioned above has been commenced as an electronically filed case in the New York State Courts Electronic Filing System ("NYSCEF") as required by CPLR § 2111 and Uniform Rule § 202.5-bb (mandatory electronic filing). This notice is being served as required by that rule.

NYSCEF is designed for the electronic filing of documents with the County Clerk and the court and for the electronic service of those documents, court documents, and court notices upon counsel and unrepresented litigants who have consented to

Electronic filing offers significant benefits for attorneys and litigants, permitting papers to be filed with the County Clerk and the court and served on other parties simply, conveniently, and quickly. NYSCEF case documents are filed with the County Clerk and the court by filing on the NYSCEF Website, which can be done at any time of the day or night on any day of the week. The documents are served automatically on all consenting e-filers as soon as the document is uploaded to the website, which sends out

The NYSCEF System charges no fees for filing, serving, or viewing the electronic case record, nor does it charge any fees to print any filed documents. Normal filing fees must be paid, but this can be done on-line.

Parties represented by an attorney: An attorney representing a party who is served with this notice must either: 1) immediately record his or her representation within the e-filed matter on the NYSCEF site; or 2) file the Notice of Opt-Out form with the clerk of the court where this action is pending. Exemptions from mandatory e-filing are limited to attorneys who certify in good faith that they lack the computer hardware and/or scanner and/or internet connection or that they lack (along with all employees subject to their direction) the operational knowledge to comply with e-filing

Parties not represented by an attorney: Unrepresented litigants are exempt from e-filing. They can serve and file documents in paper form and must be served with documents in paper form. However, an unrepresented litigant

For information on how to participate in e-filing, unrepresented litigants should contact the appropriate clerk in the court where the action was filed or visit www.nycourts.gov/efileunrepresented. Unrepresented litigants also are encouraged to visit www.nycourthelp.gov or contact the Help Center in the court where the action was filed. An unrepresented litigant who consents to e-filing may cease participation at any time. However, the other parties may continue to e-file their court documents in the case.

For additional information about electronic filing and to create a NYSCEF account, visit the NYSCEF website at www.nycourts.gov/efile or contact the NYSCEF Resource Center (phone: 646- 386-3033; e-mail: efile@nycourts.gov).

Dated 08/24/2016

Signature

MITCHELL L PASHKIN

Name

Firm Name

775 Park Avenue, Ste. 255

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Huntington, NY 11743

City, State, and Zip

631-335-1107

Phone

mpash@verizon.net

E-Mail

To:

9/3/15